

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 UNITED STATES OF AMERICA,)
9 Plaintiff,) Case No. CR03-449-MJP
10 v.) CR08-237-MJP
11 RYAN TICHY,)
12 Defendant.)

PROPOSED FINDINGS OF FACT
AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE

INTRODUCTION

14 I conducted a hearing on alleged violations of supervised release in this case on January 21,
15 2010. The defendant appeared pursuant to a warrant issued in this case. The United States was
16 represented by Bruce Miyake, and defendant was represented by Gilbert H. Levy. Also present
17 was U.S. Probation Officer Thomas J. Fitzgerald. The proceedings were digitally recorded.

SENTENCE AND PRIOR ACTION

19 For case number **CR03-449-MJP**, defendant was sentenced on May 21, 2004 by the
20 Honorable Marsha J. Pechman for Possession of a Document Making Implement, Possession of
21 Counterfeit Identifications, and Possession of Stolen Mail. He received 30 months of detention
22 and 3 years of supervised release. On November 14, 2009, defendant appeared before the Court
23 for both his supervised release violation and his new federal offense under case number **CR08-**

1 || 237-MJP.

2 Defendant received a sentence of 4 months of detention in CR03-449-MJP to run
3 consecutive to 1 year and 1 day in CR08-237-MJP. Supervised release in CR03-449-MJP was
4 set at 21 months to run concurrently with the 3 year term of supervised release in CR08-237-
5 MJP.

PRESENTLY ALLEGED VIOLATIONS

In a petition dated November 20, 2009, U.S. Probation Officer Thomas J. Fitzgerald alleged that defendant violated the following conditions of supervised release:

FINDINGS FOLLOWING EVIDENTIARY HEARING

19 The government dismissed violations 1 and 3. Defendant admitted to violation 2, waived
20 any hearing as to whether they occurred, and was informed the matter would be set for a
21 disposition hearing February 1, 2010 at 4:00 p.m. before District Judge Marsha J. Pechman.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that defendant has violated the

1 conditions of his supervised release as alleged above, and conduct a disposition hearing.

2 DATED this 21st day of January, 2010.

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5 BRIAN A. TSUCHIDA
6 United States Magistrate Judge
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